

UNITED STATES DISTRICT COURT  
DISTRICT OF MINNESOTA

GREGORY BESTER,

Civil No. 08-5403 ADM/AJB

Petitioner,

v.

O R D E R

DWIGHT L. FONDREN, Warden,

Respondent.

---

Based upon the Findings of Fact, Conclusions of Law, and Recommendation by United States Magistrate Judge Arthur J. Boylan dated November 6, 2008, all the files and records, and no objections having been filed to said Recommendation,

IT IS HEREBY ORDERED that this action is **DISMISSED WITHOUT PREJUDICE**.

DATED: December 4, 2008.

s/Ann D. Montgomery

---

Judge Ann D. Montgomery  
U. S. District Court